

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ARTIS ELLIS,**

**PLAINTIFF,**

**v.**

**EDUCATIONAL COMMISSION FOR  
FOREIGN MEDICAL GRADUATES,**

**DEFENDANT.**

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**CASE NO. 4:14-CV-02126**

**JURY DEMANDED**

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**PLAINTIFF'S EXPERT WITNESSES DESIGNATION**

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Plaintiff Artis Ellis files this Expert Designation in compliance with the Court's Scheduling Order. Further, as discovery is ongoing, Plaintiff reserves the right and intends to supplement these designations.

1. Alfonso Kennard, Jr.  
Kennard, Blankenship & Robinson, P.C.  
2603 Augusta Drive, 14<sup>th</sup> Floor  
Houston, Texas 77057  
(713) 742-0900
2. Terrence B. Robinson  
Kennard, Blankenship & Robinson, P.C.  
2603 Augusta Drive, 14<sup>th</sup> Floor  
Houston, Texas 77057  
(713) 742-0900

Mr. Kennard and Mr. Robinson may offer expert opinion testimony regarding the reasonableness, necessity, and amount of attorneys' fees incurred by Plaintiff and Plaintiff's entitlement to these fees under the law. Mr. Kennard and Mr. Robinson may also offer rebuttal testimony to any expert(s) designated by Defendant concerning attorneys' fees.

Generally, this expert will testify that because of Defendant's actions, Plaintiff was required to retain legal counsel and has incurred, and continues to incur, fees and is entitled under the law to recovery the reasonable and necessary expenses and fees for the services of his legal counsel.

Mr. Kennard's and Mr. Robinson's findings, conclusions, opinions, and testimony will be based upon their background, knowledge, experience, and the time expended on the case, the novelty and difficulty of the questions involved in the case, and any other relevant factors as defined by law. Mr. Kennard and Mr. Robinson may also base their opinion on all available billing information, as well as the pleadings, discovery and other documents on file or produced in the case. For additional information concerning the general substance of Mr. Kennard's and Mr. Robinson's mental impression and opinion, summary of the basis for them, please refer to the pleadings on file, discovery exchanged, and any available deposition transcripts.

For information concerning Mr. Kennard's and Mr. Robinson's qualifications, please see their biographies attached hereto as Exhibit A and Exhibit B. Time spent testifying will be paid at the hourly rate set by the Court.

#### **GENERAL PROVISIONS**

Plaintiff reserves the right to amend and/or supplement this designation with additional designations of experts, if necessary, within the time limits imposed by the Court or any alterations of same by subsequent Order or agreement of the parties, or pursuant to the Federal Rules of Civil Procedure and/or Rules of Evidence.

Plaintiff reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at the hearing of this matter, and to designate again same as a consulting expert, who cannot be called by opposing counsel.

Plaintiff may elicit expert testimony from any and all experts or representatives who have been, or may be, designated by or called by Defendant and who the Court allows to testify. This is not a designation of any expert identified by the Defendant who is de-designated or otherwise not permitted to testify.

Plaintiff may call to testify as expert witnesses any and all parties to this lawsuit, or employees, agents, or representatives of such parties. This specifically includes, but is not limited to, all personnel of all the parties, and others who have given or may give depositions or who have been identified in the discovery or documents produced or to be produced in this litigation. In addition, any fact witnesses designated by Defendant may offer expert opinions regarding matters within their knowledge.

Plaintiff reserves the right to call undesignated rebuttal experts whose testimony cannot reasonably be foreseen until the presentation of the evidence.

This designation shall serve to supplement Plaintiff's initial disclosures or any other applicable discovery requests. For each person or entity designated herein, Plaintiff also designates the custodian of records to the extent necessary to make this designation complete.

Plaintiff reserves whatever additional rights she may have with regard to experts, pursuant to the Federal Rules of Civil Procedure and Rules of Evidence, the case law construing same, and rulings of the Court.

Respectfully submitted,



A handwritten signature in blue ink, appearing to read 'T. B. Robinson', is positioned above a horizontal line.

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**ATTORNEY-IN-CHARGE FOR PLAINTIFF**

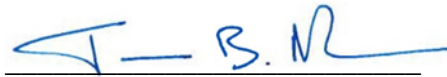
**OF COUNSEL FOR PLAINTIFF:**



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**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2015 a true and correct copy of the foregoing instrument has been sent via the Court's ECF to all counsel of record.



Terrence B. Robinson